

Introduced by: Councilmember Elrich

1<sup>st</sup> Reading: 6/07/04

2<sup>nd</sup> Reading: 6/21/04

Ordinance No. 2004-13

**AN ORDINANCE TO ADOPT A STORMWATER MANAGEMENT BUDGET FOR FISCAL YEAR 05 BEGINNING JULY 1, 2004 AND ENDING JUNE 30, 2005.**

**WHEREAS**, Article XI, Section 1101 of the Charter of the City of Takoma Park designates the Council as the Stormwater Management Board for Takoma Park with all the powers therein; **AND**

**WHEREAS**, Section 4-204(d), Environment Article and Article 29, Section 3-205(l) of the Annotated Code of Maryland authorizes the adoption of a system of charges for stormwater management programs by the City; **AND**

**WHEREAS**, Article XI, Section 1106 of the Charter of the City of Takoma Park states that the Stormwater Management Board is empowered to charge and collect stormwater utility fees and user charges in order to raise sufficient annual revenue to pay for stormwater management activities in the City; **AND**

**WHEREAS**, the Stormwater Management Board desires to maintain a Stormwater Management Fund for the collection and payment of revenues and expenditures as it deems necessary to provide for the construction, maintenance, operations and repair of the stormwater system in the City.

**NOW THEREFORE BE IT ORDAINED BY THE STORMWATER MANAGEMENT BOARD OF THE CITY OF TAKOMA PARK**

**SECTION 1: THAT** for the fiscal year 2005, a Stormwater Management Fee shall be imposed on real property in the City in an amount sufficient to fund the Stormwater Management Expenditures established by Section 4 of this Ordinance. The base rate for the Storm water Management Fee shall be \$28.68 as established by Ordinance 1999-14.

**SECTION 2: THAT** a Stormwater Management Fund shall be maintained into which shall be deposited:

- (a) All the receipts and revenues from user charges, and utility fees imposed by the City to pay for stormwater management; **AND**
- (b) All charges, fees, fees-in-lieu, grants, and other contributions received from any person or governmental entity in connection with stormwater management activities or programs.

**SECTION 3: THAT** from and out of the monies known to be received from the utility fees set

by the Stormwater Management Board, and from all monies to come into all funds during the twelve (12) month period ending June 30, 2005, there shall be, and hereby are appropriated Stormwater Management Fund revenues, as follows:

Utility Fees:	\$200,000
Stormwater permit fees:	2,000
Stormwater Assessment:	20,000
Penalties and Interest	100
Interest Income	2,000
<b>SUBTOTAL</b>	<b><u>\$224,100</u></b>
Unreserved, undesignated fund balance	10,337
<b>TOTAL</b>	<b><u>\$234,437</u></b>

**SECTION 4: THAT** there shall be, and here are appropriated the following sums for use for the support of stormwater management activities during the 2004-05 Fiscal Year:

Personal Services:	\$ 43,416
Operational Expenditures:	<u>191,021</u>
<b>TOTAL</b>	<b><u>\$234,437</u></b>

**SECTION 5: THAT** stormwater management project that are declared to be emergencies as defined by the City Council in accordance with the City Charter, may be funded through the Emergency Reserve or other reserves as may be designated by the City Council.

**SECTION 6: THAT** the approved FY05 budget document with account listings is to be incorporated as a part of this Ordinance by reference.

**SECTION 7: THAT** should any section of this Ordinance be determined to be invalid, such invalidity shall not affect any other sections.

**SECTION 8: THAT** this Ordinance shall be effective July 1, 2004.

Adopted this 21<sup>st</sup> day of June, 2004, by Roll Call Vote of the Stormwater Management Board for the City of Takoma Park.

AYE: Porter, Barry, Elrich, Seamens, Williams

NAY: None

ABSTAIN: None

ABSENT: Austin-Lane, Mizeur